

ARTICLE 3. - DEFINITIONS; TERMS OF MEASUREMENTS AND CALCULATIONS

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Sec. 25.03.02. - Words and terms defined.

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Effective date means the effective date of a decision or approval of an Approving Authority is the date set forth in the resolution or ordinance adopted by the Mayor and Council, or the date of the written notice of the decision or approval.

Electronic smoking device has the same meaning as in Rockville City Code section 13-21(a).

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Site plan means the development plan for one (1) or more lots on which is shown the existing and proposed conditions of the lot, including topography, vegetation, drainage, floodplains, wetlands, and waterways; landscaping and open spaces; walkways; vehicle circulation, parking and loading areas; historic and archaeological resources; utility services; structures and buildings; signs; exterior lighting; buffers and screening; surrounding development; and any other information that reasonably may be required by the Approving Authority.

Smoke has the same meaning as in Rockville City Code section 13-21(a).

Smoke shop means any retail establishment that devotes at least 10% of its floor area to the sale or display of tobacco products or electronic smoking devices or allows customers to vape or smoke on site.

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Through lot. See "Lot, through."

Tobacco product means any product made or derived from tobacco, or containing nicotine from any source, that is intended for human consumption, including any component, part, or accessory of a tobacco product (except for raw materials other than tobacco used in manufacturing a component, part, or accessory of a tobacco product). The term "tobacco product" includes, but is not limited to, cigarettes, cigars, cigarillos, smokeless tobacco, bidis, dissolvable tobacco, kreteks, and loose tobacco intended for use in a pipe, hookah, or other smoking device.

Use, principal means the principal purpose for which a lot or the main building on the lot is designed, arranged, or intended and for which it may be used, occupied, or maintained as a permitted, conditional, or special exception use.

Vape has the same meaning as in Rockville City Code section 13-21(a).

ARTICLE 12. - INDUSTRIAL ZONES

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Sec. 25.12.03. Land use tables.

The uses permitted in the industrial zones are shown in the table below. Uses are subject to applicable conditions of site plan approval. All special exceptions are subject to the requirements of article 15.

	Uses	Zones		Conditional requirements or related regulations
		Light Industrial I-L	Heavy Industrial I-H	
a. Residential uses	Live/work unit	P	N	Includes dwelling unit for caretaker in connection with a self-storage warehouse
	Personal living quarters	S	N	See Sec. 25.15.02.l.
b. Institutional uses	Adult day care	P	N	
	Charitable or philanthropic institution	P	N	
	Child care center	P	N	
	Educational institution, private	P	N	
	Places of worship	P	N	
c. Medical services	Ambulance service	C	N	Conditional use must not adjoin residential uses
	Hospital	S	N	Sec 25.15.02.i.
	Veterinary office and animal hospital	P	N	
d. Temporary uses	Christmas tree sales	C	C	Conditional use subject to the requirements of Sec. 25.09.04
	Garden produce	C	N	
	Temporary building or yard for construction materials or equipment	C	C	Conditional use subject to the requirements of Sec. 25.09.04
	Temporary carnival, flea market, or festival	C	C	
	Temporary office or model home	C	C	
	Mobile uses	C	N	
	Portable storage units	C	C	
e. Commercial, office, and industrial uses	Alcoholic beverages for consumption on the premises of any restaurant	P	N	
	Auctioneer and commercial gallery	P	N	
	Boats and marine supplies	P	N	
	Garden supplies	P	N	
	Home improvement service	P	P	
	Home maintenance services	P	P	
	Pawnbroker	S	N	See Section 25.15.02.m.
	Public transportation station	C	C	Conditional use must comply with any Plan recommendation

	Uses	Zones		Conditional requirements or related regulations
		Light Industrial I-L	Heavy Industrial I-H	
	Repair of household appliances, inc'l home electronic equipment	P	N	
	Taxicab service	P	N	
	Wearing apparel and related accessories	P	N	
	Wearing apparel services	P	N	
	Caterer, no seating	P	N	
	Carry-out	P	N	
	Restaurant	S	N	See Sec. 25.15.02.o.
	Office uses:			
	Duplicating service	P	N	
	Office	C	N	Conditional use limited to 25% of the gross floor area of a building
	Medical or dental laboratory	P	N	
	Research and development	P	N	
	Automobile filling station (Class I and II)	S	S	See Sec. 25.15.02.c.
	Automobile fluid maintenance station	P	N	
	Automotive repair garage	P	N	
	Mechanical car wash	P	N	
	Motor vehicle and trailer sales, including new and reconditioned parts and accessories and service incidental thereto	P	N	
	Motor vehicle towing service, without storage on the premises	P	N	
	Tires, batteries, and accessory sales, including service incidental thereto	P	N	
	<u>Smoke shop</u>	<u>C</u>	<u>N</u>	<u>Conditional use subject to the requirements of Sec. 25.13.04.f.</u>
f. Assembly and entertainment	Adult oriented establishment	S	N	See Sec. 25.15.02.b.
	Health and fitness establishment	P	N	
	Kennel	P	P	
	Outdoor recreational establishment, commercial, except shooting gallery	S	N	
	Private club	P	N	
	Public utility building and structure	P	P	
	Publicly-owned or publicly-operated building and use, excluding sanitary landfill	P	P	

	Uses	Zones		Conditional requirements or related regulations
		Light Industrial I-L	Heavy Industrial I-H	
	Recreational establishment, indoor, commercial, except shooting gallery	C	N	Conditional use cannot occupy more than 50% of any building
	Shooting gallery	S	S	
	Sport facility, multi-purpose, indoor, commercial	P	N	
	Wireless communication facility entirely within an existing building or on the roof or side of a building, or attached to an existing structure	C	C	Conditional use subject to the requirements of Sec. 25.09.08
	Wireless communication freestanding ground mounted antenna support structure	S	S	Subject to the requirements of Sec. 25.09.08 and 25.15.02.s.
	Renewable energy equipment, free standing	C	C	Special exception required for height in excess of 50 ft.
g. Industrial and service uses	Artisanal craft production	P	P	Items produced may be sold at retail on the premises
	Alcoholic beverage production	C	P	Conditional use must not adjoin or confront a residential use in a residential zone.
	Alcoholic beverage production, limited	C	P	Conditional use must not adjoin or confront a residential use in a residential zone.
	Heavy industrial use	N	P	
	Light industrial use	P	P	
	Lumberyard	C	P	Conditional use shall not adjoin a single unit development residential zone
	Service industrial use	P	P	
	Warehouse, self-storage	C	C	Not permitted on a lot within 250 of any lot on which a public school is located

Key: P = Permitted Use; S = Special Exception; C = Conditional Use; N = Not Permitted

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ARTICLE 13. - MIXED-USE ZONES

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Sec. 25.13.03. Land use tables.

The uses permitted in the mixed-use zones are as shown in the table below. Uses are subject to applicable conditions of site plan approval. All special exceptions are subject to the requirements of article 15.

	Uses	Zones								Conditional requirements or related regulations
		Mixed-Use Transit District (MXTD)	Mixed-Use Corridor District (MXCD)	Mixed-Use Employment (MXE)	Mixed-Use Business (MXB)	Mixed-Use Corridor Transition (MXCT)	Mixed-Use Neighborhood Commercial (MXNC)	Mixed-Use Commercial (MXC)	Mixed-Use Transition (MXT)	
a. Residential	Dwelling, single unit detached	N	C	C	C	N	C	P	P	Conditional use subject to the requirements of Sec. 25.13.04.a.
	Dwelling, semi-detached (duplex)	N	N	C	P	N	C	N	P	Conditional use subject to the requirements of Sec. 25.13.04.a.
	Dwelling, townhouse	P	P	P	P	P	P	N	C	Conditional use subject to the requirements of Sec. 25.13.04.a.
	Dwelling, attached	P	P	P	P	P	P	N	C	Conditional use density must not exceed 6 dwelling units per acre
	Dwelling, multiple-unit	P	P	P	P	P	P	C	C	Conditional use subject to the requirements of Sec. 25.13.04.a
	Live/work unit	P	P	P	P	P	P	P	P	
	Personal living quarters	P	P	P	P	P	P	N	P	
b. Swimming pool, Accessory		P	P	P	P	P	P	P	P	
c. Home-based business enterprise	No impact	P	P	P	P	P	P	P	P	See Sec. 25.09.07b.
	Major	S	S	S	S	S	S	P	S	See Secs. 25.09.07c and 25.15.02.h
d. Institutional Uses	Adult day care	P	P	P	P	P	P	P	S	
	Charitable or philanthropic institution	P	P	P	C	P	C	C	C	Conditional uses must not exceed 5,000 sq. ft. of gross floor area
	Child care home	C	C	C	P	P	P	P	P	Conditional use permitted only in

	Uses	Zones								Conditional requirements or related regulations
		Mixed-Use Transit District (MXTD)	Mixed-Use Corridor District (MXCD)	Mixed-Use Employment (MXE)	Mixed-Use Business (MXB)	Mixed-Use Corridor Transition (MXCT)	Mixed-Use Neighborhood Commercial (MXNC)	Mixed-Use Commercial (MXC)	Mixed-Use Transition (MXT)	
										single-unit detached dwelling
	Child care center:									
	9—12 children	P	P	P	P	P	P	P	P	
	More than 12 children	P	P	P	P	P	P	P	P	
	Educational institution, private	P	P	P	P	P	S	P	S	See Sec. 25.15.02.g
	Housing for senior adults and persons with disabilities	P	P	P	S	P	P	S	S	Special exception subject to Sec. 25.15.02.j
	Library, museum, and art gallery or studio	P	P	P	P	P	C	C	C	Conditional uses must not exceed 5,000 sq. ft. of gross floor area
	Nursing home	P	P	P	S	P	S	N	S	Special exception subject to Sec. 25.15.02.i
	Place of worship	P	P	P	P	P	P	P	P	
e. Medical services	Ambulance service	N	P	P	C	C	C	C	N	Conditional use must not adjoin or confront residential uses
	Hospital	S	S	P	S	S	S	N	N	Special exception subject to Sec. 25.15.02.i
	Veterinary office and/or animal hospital	P	P	P	P	P	C	P	C	Conditional uses must not exceed 2,500 sq. ft. of gross floor area.
f. Miscellaneous Uses	Kennel	N	N	C	N	N	N	N	N	Conditional use must not have outside runs
	Private club	P	P	P	P	P	S	N	S	Special exception subject to Sec. 25.15.01
	Public utility building and structure	P	P	P	P	P	P	P	C	Conditional uses in buildings must have a residential appearance and comply with the height, bulk and setback

	Uses	Zones								Conditional requirements or related regulations
		Mixed-Use Transit District (MXTD)	Mixed-Use Corridor District (MXCD)	Mixed-Use Employment (MXE)	Mixed-Use Business (MXB)	Mixed-Use Corridor Transition (MXCT)	Mixed-Use Neighborhood Commercial (MXNC)	Mixed-Use Commercial (MXC)	Mixed-Use Transition (MXT)	
										requirements of the relevant zone
	Publicly-owned or publicly-operated building and use, excluding sanitary landfill	P	P	P	P	P	P	P	P	
	Wireless communication facility entirely within an existing building or on the roof or side of a building, or attached to an existing structure	C	C	C	C	C	C	C	C	Conditional use subject to the requirements of Sec. 25.09.08
	Wireless communication freestanding ground mounted antenna support structure	S	S	S	S	S	S	S	S	See Sec. 25.09.08 and 25.15.02.s
g. Temporary Uses	Temporary building or yard for construction materials or equipment	C	C	C	C	C	C	C	C	Conditional use subject to the requirements of Sec. 25.09.04
	Portable storage units	C	C	C	C	C	C	C	C	
	Temporary office or model home	C	C	C	C	C	C	C	C	
	Christmas tree sales	C	C	C	C	C	C	C	C	
	Sale of garden produce	C	C	C	C	C	C	C	C	
	Temporary carnival, flea	C	C	C	N	C	N	C	N	

	Uses	Zones								Conditional requirements or related regulations
		Mixed-Use Transit District (MXTD)	Mixed-Use Corridor District (MXCD)	Mixed-Use Employment (MXE)	Mixed-Use Business (MXB)	Mixed-Use Corridor Transition (MXCT)	Mixed-Use Neighborhood Commercial (MXNC)	Mixed-Use Commercial (MXC)	Mixed-Use Transition (MXT)	
	market, or local festival									
h. Commercial and office uses	Retail sales and services:									
	Alcoholic beverages for consumption off the premises	P	P	P	N	C	C	C ¹	C	For conditional use, tenant area limited to 5,000 sq. ft. of gross floor area
	Alcoholic beverages for consumption on the premises of any restaurant	P	P	P	P	P	P	P	P	
	Auctioneer and commercial gallery	P	P	P	P	P	C	C	C	For conditional use, tenant area limited to 2,500 sq. ft. of gross floor area
	Boats and marine supplies	N	C	N	C	N	N	N	N	For conditional use, all sales and storage must be indoors
	Business equipment sales and service	P	P	P	P	P	N	P	N	
h. Commercial and office uses (cont.)	Consumable goods to be used in the home	P	P	P	P	P	P	P	C	Conditional uses limited to 2,500 sq. ft. of gross floor area for each tenant, other than a grocery store or drug store
	Drug store with drive-through	C	C	C	C	C	C	C	C	See Sec. 25.13.04.c
	Durable goods to be used in the home	P	P	P	P	N	P	C	N	For conditional use, tenant area is limited to 2,500 sq. ft. of gross floor area
	Flowers, except from outdoor garden or greenhouse	P	P	P	P	P	P	C	C	For conditional use, tenant area is limited to 2,500 sq. ft. of gross floor area
h. Commercial	Funeral home	C	C	N	C	C	C	C	C	Cremations permitted only

	Uses	Zones								Conditional requirements or related regulations
		Mixed-Use Transit District (MXTD)	Mixed-Use Corridor District (MXCD)	Mixed-Use Employment (MXE)	Mixed-Use Business (MXB)	Mixed-Use Corridor Transition (MXCT)	Mixed-Use Neighborhood Commercial (MXNC)	Mixed-Use Commercial (MXC)	Mixed-Use Transition (MXT)	
and office uses (cont.)										where existing as of March 16, 2009
	Garden supplies	C	C	C	C	C	C	C	C	Indoor sales only
	Home improvement service	N	N	P	P	N	N	N	N	
	Home maintenance services	P	P	P	P	P	P	P	P	
	Mobile uses	C	C	C	C	C	C	C	C	See Sec. 25.09.04.d.5
	Multiple product range retail store (department store)	P	P	N	N	N	C	N	N	Conditional use limited to a maximum of 25,000 sq. ft. of gross floor area.
	Personal care facility	P	P	P	P	P	P	P	P	
h. Commercial and office uses (cont.)	Personal Services Office	P	P	P	P	P	P	P	P	
	Pet grooming	P	P	P	P	P	P	P	P	
	Pet sales	P	P	P	P	N	P	N	N	
	Public transportation station	P	P	P	C	P	C	C	C	Conditional use must comply with any recommendations of the Plan
	Repair of household appliances, inc'l home electronic equipment	P	P	P	P	P	P	P	N	
	<u>Smoke shop</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>N</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>Conditional use subject to the requirements of Sec. 25.13.04.f.</u>
	Taxicab service	N	N	S	P	P	N	N	N	Special exception subject to Sec. 25.15.02.q
h. Commercial and office uses (cont.)	Wearing apparel and related accessories	P	P	P	P	P	P	C	C	Conditional uses limited to 2,500 sq. ft. of gross floor area for each tenant

	Uses	Zones								Conditional requirements or related regulations
		Mixed-Use Transit District (MXTD)	Mixed-Use Corridor District (MXCD)	Mixed-Use Employment (MXE)	Mixed-Use Business (MXB)	Mixed-Use Corridor Transition (MXCT)	Mixed-Use Neighborhood Commercial (MXNC)	Mixed-Use Commercial (MXC)	Mixed-Use Transition (MXT)	
	Wearing apparel services	P	P	P	P	P	P	P	P	
	Food Services:									
	Ancillary restaurant	P	P	P	N	P	N	N	N	Use cannot exceed 5% of the total gross floor area of the building. No drive-through or walk-up service is permitted. The bar patron area cannot exceed 10% of the total patron use area.
	Carry-out	P	P	P	P	P	P	P	P	
	Caterer, no seating	P	P	P	P	P	N	N	N	
h. Commercial and office uses (cont.)	Restaurant, no drive-through	P	P	P	P	P	P	P	P	
	Restaurant with drive-through	N	S	C	S	S	S	S	N	Special exception subject to Sec. 25.15.02.c. Conditional use subject to the requirements of Sec. 25.13.04.c
	Office Uses:									
	Archival record storage	N	N	P	P	N	C	N	N	Conditional use allowed if located in a basement or cellar
	Bank or financial institution	P	P	P	P	P	P	P	P	
	Bank or financial institution with drive-through	C	C	C	C	C	C	C	C	Conditional use subject to the requirements of Sec. 25.13.04.c
	Duplicating service	P	P	P	P	P	P	C	C	Conditional uses limited to 2,500 sq. ft. of gross floor area
	Medical or dental laboratory	P	P	P	P	P	C	N	N	Conditional use allowed if located in a basement or cellar
	Office Uses:									

	Uses	Zones								Conditional requirements or related regulations
		Mixed-Use Transit District (MXTD)	Mixed-Use Corridor District (MXCD)	Mixed-Use Employment (MXE)	Mixed-Use Business (MXB)	Mixed-Use Corridor Transition (MXCT)	Mixed-Use Neighborhood Commercial (MXNC)	Mixed-Use Commercial (MXC)	Mixed-Use Transition (MXT)	
h. Commercial and office uses (cont.)	Non-medical research laboratory	P	P	P	P	P	N	N	N	
	Office including medical and professional	P	P	P	P	P	P	P	P	
	Research and development	P	P	P	P	P	N	N	N	
	Motor vehicle services:									
	Automobile parts sales; no installation or service	N	P	P	P	P	P	N	N	
	Automobile filling station (Class I and II)	S	S	S	N	S	S	S	N	See Sec. 25.15.02.c
	Automobile fluid maintenance station	N	P	P	P	N	N	N	N	
	Automobile rental	P	P	P	P	P	N	P	N	
h. Commercial and office uses (cont.)	Automotive repair garage	N	N	N	P	N	N	N	N	
	Mechanical car wash	N	P	N	N	N	N	N	N	
	Motor vehicle and trailer sales, excluding trucks and trailers exceeding three-fourths-ton capacity, including new and reconditioned parts and accessories and service incidental thereto. ²	N ³	C	N	C	C	N	N	N	See footnote 2

	Uses	Zones								Conditional requirements or related regulations
		Mixed-Use Transit District (MXTD)	Mixed-Use Corridor District (MXCD)	Mixed-Use Employment (MXE)	Mixed-Use Business (MXB)	Mixed-Use Corridor Transition (MXCT)	Mixed-Use Neighborhood Commercial (MXNC)	Mixed-Use Commercial (MXC)	Mixed-Use Transition (MXT)	
h. Commercial and office uses (cont.)	Motor vehicle towing service, without storage on the premises	N	N	N	P	N	N	N	N	
	Tires, batteries and accessory sales, including service incidental thereto	N	P	N	P	N	C	N	C	
	Parking Facilities:									
	Commercial parking facility	C	C	C	C	C	N	N	N	Conditional use subject to the requirements of Sec. 25.13.04.d
i. Assembly and entertainment	Health and fitness establishment	P	P	P	P	P	C	C	C	Conditional use limited to 4,000 gross square feet of floor area. No floor area limit if located in a basement or cellar
	Hotel	P	P	P	P	C	S	N	N	Conditional use limited to 15,000 gross square feet
	Indoor entertainment establishment, commercial, except shooting gallery	P	P	P	P	N	C	N	N	Conditional use subject to a Level 2 Site Plan Review
i. Assembly and entertainment (cont.)	Outdoor recreational establishment, commercial, except shooting gallery	S	S	S	N	S	S	N	N	
	Recreational establishment,	P	P	P	P	C	C	N	N	Conditional use allowed if located in

	Uses	Zones								Conditional requirements or related regulations
		Mixed-Use Transit District (MXTD)	Mixed-Use Corridor District (MXCD)	Mixed-Use Employment (MXE)	Mixed-Use Business (MXB)	Mixed-Use Corridor Transition (MXCT)	Mixed-Use Neighborhood Commercial (MXNC)	Mixed-Use Commercial (MXC)	Mixed-Use Transition (MXT)	
	indoor, commercial, except shooting gallery									a basement or cellar
i. Assembly and entertainment (cont.)	Rental hall for meetings and social occasions	P	P	P	P	C	C	N	N	Conditional uses limited to a maximum of 4,000 square feet of gross floor area. No floor area limit if located in a basement or cellar
	Sports facility, multi-purpose, indoor commercial	P	P	P	P	N	C	N	N	Conditional use allowed if located in a basement or cellar
	Theater, including dinner theater	P	P	P	P	N	P	N	N	
j. Industrial and service uses	Artisanal craft production	N	P	P	P	P	P	N	N	Items produced may be sold at retail on the premises
	Alcoholic beverage production	N	N	C	N	N	N	N	N	Conditional use must not be located within 500 feet of a residential use in a residential zone.
	Alcoholic beverage production, limited	P	C	C	C	C	N	N	N	Conditional use must be at least 250' from a lot with a public or private school providing pre-school and/or K-12 education. In addition, in the MXB Zone a conditional use must not adjoin or confront single-unit dwellings
	Light industrial use	N	N	P	N	N	N	N	N	
	Service industrial use	N	N	P	C	N	N	N	N	Conditional use must not adjoin or

	Uses	Zones								Conditional requirements or related regulations
		Mixed-Use Transit District (MXTD)	Mixed-Use Corridor District (MXCD)	Mixed-Use Employment (MXE)	Mixed-Use Business (MXB)	Mixed-Use Corridor Transition (MXCT)	Mixed-Use Neighborhood Commercial (MXNC)	Mixed-Use Commercial (MXC)	Mixed-Use Transition (MXT)	
										confront single-unit dwellings
	Warehouse, self-storage	N	N	C	C	N	N	N	N	In the MXE Zone, the use is only permitted on sites that are contiguous to a property that is zoned to accommodate heavy industrial uses ⁴ . In the MXB and MXE zones, not permitted on a lot within 250 feet of any lot on which a public school is located. In the MXB Zone, must not adjoin or confront single-unit dwellings.

Key: P = Permitted Use; C = Conditional Use; S = Special Exception; N = Not Permitted

¹ Conditional use in the MXC zone is not permitted when adjoining a residential zone.

² Special provisions for motor vehicle and trailer sales:

- All buildings, off-street parking and loading areas and all outdoor storage and display of motor vehicles must be set back fifty (50) feet from any adjoining or abutting land classified in a residential zone. Where the plan recommends a setback from a public street greater than the minimum required, the plan takes precedence.
- The storage of waste material, auto parts, refuse and motor vehicles is prohibited in any required setback area.
- The requirement for providing public use space may be met in whole or in part through the fee-in-lieu process as set forth in article 17.

³ Except that new and/or expanded motor vehicle and trailer sales including new and reconditioned parts and accessories and service incidental thereto are permitted on those properties on which such uses are located as of March 16, 2009.

⁴ If this condition is not met, see subsection 25.08.05.d. for non-conforming status.

Sec. 25.13.04. - Special regulations for conditional uses.

- Residential.* Where residential uses are permitted as conditional uses in a mixed-use zone, other than the MXC zone, they are only allowed in those areas of the zone recommended for such use in the plan. The Planning Commission in approving such conditional uses shall establish such development standards as deemed necessary to render such uses suitable and compatible with the surrounding uses and in accordance with the intent of the plan. In the mixed-use commercial (MXC) zone, multiple-unit dwellings are not permitted at the ground floor level.

- b. *Drug store with drive-through service window.* In the MXTD zone, the drive-through must be incorporated and enclosed within a building or structure. In the other zones where allowed, the drive-through must be arranged so as to not obstruct traffic circulation within the site. Sufficient reservoir spaces must be provided and must be located so as not to obstruct vehicle or pedestrian circulation or parking within the site or accessing the site.
- c. *Banks and financial institution with drive-through.* In the MXTD zone, the drive-through must be incorporated and enclosed within a building or structure. In the other zones where allowed, the drive-through must be arranged so as to not obstruct traffic circulation within the site. Sufficient reservoir spaces must be provided and must be located so as not to obstruct vehicle or pedestrian circulation or parking within the site or accessing the site.
- d. *Commercial parking facility.* A commercial parking facility is only permitted in the form of a parking structure. At least seventy-five (75) percent of the ground level floor street frontage must be devoted to commercial uses.
- e. *Restaurant with drive-through window in the MXE zone.* The use must be located on a site that has frontage on and access to a major arterial roadway at the front lot line.
- f. *Smoke shop.* Where a smoke shop is allowed as a conditional use, it must meet the following standards:

- 1. A smoke shop must not be located on a parcel that is within 1,000 feet of a parcel on which one or more of the following uses are located:
 - a. Destination Park, Citywide Park, or Neighborhood Park as classified by the City of Rockville Recreation and Parks Strategic Plan, as adopted December 7, 2020; or
 - b. Public library.
- 2. A smoke shop must not be located on a parcel that is within 0.5 miles of a parcel on which one or more of the following uses are located:
 - a. Child care center
 - b. Child care home;
 - c. Public or private elementary school;
 - c. Public or private middle school;
 - d. Public or private high school;
 - e. Post-secondary school.
- 3. A smoke shop may continue as a conforming use if one or more uses listed in section 25.13.04.f.1 are established on a parcel within 500 feet of the parcel on which the smoke shop is located after the smoke shop began lawfully operating.
- 4. A smoke shop is deemed a nonconforming use subject to the requirements of section 25.08.05 if a public or private middle school, high school, or post-secondary school is established on a parcel within 0.5 miles of the parcel on which the smoke shop is located after the smoke shop began lawfully operating.

5. A retail establishment operating under a valid occupancy permit approved before [date of ordinance effective date] that meets the definition of “smoke shop” under section 25.04.02 shall be classified as a smoke shop and may continue as a conforming use if it meets the requirements of subsections 25.13.04.f.1 and 2. Any such retail establishment that does not meet the requirements of subsections 25.13.04.f.1 and 2 shall be classified as a smoke shop and may continue as a nonconforming use subject to the requirements of section 25.08.05.